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Sam's West, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KELLY GREEN, an individual,

Plaintiff,

v.

SAMS CLUB.; Does I-X, and ROE
CORPORATIONS I-X, inclusive,

Defendant(s).

Case No.: 2:20-cv-00834-APG-EJY

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DISCOVERY
DEADLINES**

[THIRD REQUEST]

Plaintiff KELLY GREEN (hereinafter "Plaintiff") and Defendant SAM'S WEST INC. (erroneously sued as "SAMS CLUB") (hereinafter "Defendant" or "Sam's Club"), by and through their respective counsel of record, do hereby stipulate to extend the remaining deadlines in the current scheduling order and discovery plan in this matter for a period of ninety (90) days for the reasons explained herein.

Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the third such discovery extension requested in this matter.

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DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference and have served their respective FRCP 26(a) disclosures;
- Plaintiff has provided provider specific authorizations;
- Defendant has served upon Plaintiff one set of Requests for Production, one set of Interrogatories and one set of Requests for Admissions and Plaintiff has responded to the same;
- The parties have filed all required documents pursuant to ECF 2 to date;

DISCOVERY TO BE COMPLETED AND REASONS FOR EXTENSION OF DISCOVERY

Discovery to be completed includes:

- Deposition of Plaintiff;
- Depositions of Plaintiff's treating physicians;
- Depositions of fact witnesses;
- Disclosure of experts by both parties;
- Depositions of expert witnesses and rebuttal expert witnesses; and
- Plaintiff to notice Defendant's 30(b)(6) deposition.

The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested extension. The parties agree that, pending this Court's approval, extension of remaining discovery deadlines is appropriate, as there has been a delay in obtaining Plaintiff's complete medical records as well as setting Deposition of Plaintiff, as Plaintiff has been unavailable. The deposition of the Plaintiff must be completed and complete medical records are required by our expert in order to review and provide a complete report so the matter is decided on the merits. The parties are working together amicably, and Plaintiff's deposition has been set. According, the parties have agreed to a 90-day discovery extension in order to ensure that meaningful discovery is conducted prior to expert disclosures.

The parties have acted in good faith to request this extension and have no intent, nor reason, to delay the resolution of this matter.

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~~[PROPOSED]~~ NEW DISCOVERY DEADLINES

Deadline to Amend Pleading:

Currently: February 8, 2021

Proposed: **May 10, 2021**

Expert Disclosure Deadline:

Currently: March 9, 2021

Proposed: **June 7, 2021**

Rebuttal Expert Disclosure Deadline:

Currently: April 9, 2021

Proposed: **July 8, 2021**

Discovery Cut-Off Date:

Currently: May 7, 2021

Proposed: **August 5, 2021**

Dispositive Motion Deadline:

Currently: June 7, 2020

Proposed: **September 6, 2021**

Proposed Joint Pre-Trial Deadline:

Currently: July 6, 2021

Proposed: **October 4, 2021**

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If this extension is granted, all anticipated additional discovery should be concluded within the stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is made by the parties in good faith and not for the purpose of delay.

DATED this 3 day of February, 2021.

STOVALL & ASSOCIATES

/s/ Leslie Mark Stovall

LESLIE MARK STOVALL, ESQ.

Nevada Bar No. 2566

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Attorneys for Plaintiff

DATED this 3rd day of February, 2021.

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Latisha Robinson

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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: February 3, 2021